



Attorney Docket No. 5470-107BDV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Thorp et al
Serial No.: 10/008,233
Filed: November 6, 2001
For: *Electrochemical Detection of Nucleic Acid Hybridization*

Confirmation No.: 1504
Group Art Unit: 1634
Examiner: A. Chakrabarti

Date: November 1, 2002

Box DAC
Attn: Office of Petitions
Commissioner for Patents
Washington, DC 20231

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OFFICE OF PETITIONS

AMENDMENT

Sir:

This Amendment is responsive to the Restriction Requirement of April 11, 2002.

In the Claims:

Please cancel Claims 31-39, without prejudice to the filing of a divisional application.


REMARKS

In response to the Restriction Requirement of April 11, 2002, Applicants hereby elect Invention II, corresponding to Claims 138-144 and 148-149, drawn to a microelectronic device. Applicants have canceled Invention I, corresponding to Claims 31-39, drawn to an apparatus for DNA detection. This cancellation is being done without prejudice to the filing of a divisional application for these claims.

Applicants are not traversing the Restriction Requirement, because Applicants agree that unpatentability of the process of Invention II would not necessarily imply unpatentability of Invention I.

In view of the above, Applicants respectfully request favorable examination and allowance of Claims 138-144 and 148-149.

Respectfully Submitted,


Kenneth D. Sibley
Registration No. 31,665

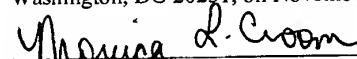


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, DC 20231, on November 1, 2002.


Monica L. Croom